



Attorney Docket No.: 80398.P162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

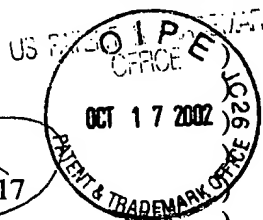
In Re Application of:

David Alan Desch

Application No.: 09/183,717

Filed: October 30, 1998

For: SYSTEM AND METHOD FOR  
PROVIDING DIGITAL VIDEO AND  
AUDIO BROADCASTS



Examiner: Fleurantin, J.

Art Unit: 2172

# 271  
PATENT

Ref & Dep  
Room-307  
Reg for  
Refund  
01-23-03

Assistant Commissioner for Patents  
ATTENTION: Refund Section, Accounting Division, Office of Finance  
Washington, D.C. 20231

REQUEST FOR REDUND  
(Pursuant to 37 C.F.R. § 1.26(a))

Sir:

Applicant's deposit account has been incorrectly charged for a continuation patent filing fee in the amount of \$740.00. The details of the incorrect charge is outlined below.

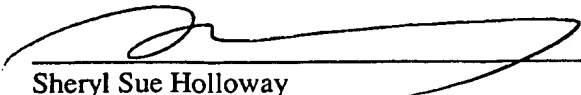
The above-referenced application had filed a RCE on January 28, 2002 which included a check in the amount of \$740.00 for the RCE filing fee which was cashed February 25, 2002.

However, applicant's deposit account was charged in the amount of \$740.00 for payment of the RCE filing fee. Applicant respectfully requests a refund in the amount of \$740.00 to be credited to Deposit Account No. 02-2666.

Accompanying this request are copies of (1) RCE transmittal, (2) Fee transmittal, (3) a photocopy of the cancelled check in the amount of \$740.00, and (4) a photocopy of the Deposit Account Statement.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

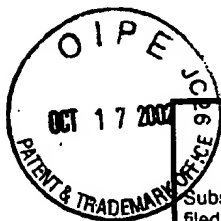
Dated: OCT. 11, 2002

  
Sheryl Sue Holloway  
Reg. No. 37,850

12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

On 10/11/02  
Cher Linkenbeard  
Name of Person Mailing Correspondence  
Cher Linkenbeard  
Signature Date



PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No.: 09/183,717Filing Date October 30, 1998First Named Inventor David DeschGroup Art Unit 2611Examiner Name Grant, C.Attorney Docket No. 080398.P162**1. Submission required under 37 C.F.R. § 1.114**a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_iii. ☐ Other \_\_\_\_\_b. ☒ Enclosedi. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other \_\_\_\_\_**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other \_\_\_\_\_**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other \_\_\_\_\_b. ☒ Check in the amount of \$ 740.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**Name (Print/Type) Mark C. Van NessRegistration No. (Attorney/Agent) 39,865Signature [Signature]Date 1/28/02

**FEE TRANSMITTAL FOR FY 2002****TOTAL AMOUNT OF PAYMENT (\$)** \$740.00**Complete If Known:**Application No. 09/183,717Filing Date October 30, 1998First Named Inventor David E. DeschGroup Art Unit 2611Examiner Name Grant, C.Attorney Docket No. 080398.P162**METHOD OF PAYMENT (check one)**

1. ☒ **The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:**

Deposit Account Number 02-2866

Deposit Account Name \_\_\_\_\_

- ☒ **Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

- ☐ **Applicant claims small entity status. See 37 CFR 1.27**

2. ☒ **Payment Enclosed:** ☒ **Check**  
☐ **Money Order**  
☐ **Other**

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
<b>SUBTOTAL (1)</b>					<b>\$ 0.00</b>

**2. EXTRA CLAIM FEES**

			Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** =	_____	X	_____
Independent Claims	_____	- 3** =	_____	X	_____
Multiple Dependent	_____				_____

**\*\*Or number previously paid, if greater; For Reissues, see below.**

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$ 0.00



BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

8055 EAST TUFTS AVENUE, SUITE 1350  
DENVER, CO 80237  
(303) 740-1980

WELLS FARGO BANK 2262 002262

11-24  
1210(0)

January 28, 2002  
230092657 170 3509 1008 09 23

DOLLARS \$ 740.00

PAY SEVEN HUNDRED FORTY & NO/100

TO  
THE  
ORDER  
OF  
Director of the United States  
Patent & Trademark Office  
Washington, DC 20231-0001

AUTHORIZED SIGNATURE

⑈003262⑈ ⑈121000248⑈ 1801 744.71⑈ ⑈0000074000⑈

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, A TRUE WATERMARK AND VISIBLE FIBERS.

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

FEB SF, CA 02262002  
TRACER # 6121 PNT. 006  
122105278

1219-037-4  
02/26/02 011  
17010000  
230092657  
1STMIX  
0520-0027-8  
02-26-02

0103733

FEB 25 02

FIRST VIRGINIA BANK  
402 MARKET BLVD.  
FALLS CHURCH, VA  
1-800-523-5438  
036 001 118  
811100050

0020 15340

PATENT AND TRADEMARK OFFICE  
13-10-0001  
02-22-2002  
FOR CREDIT TO THE  
U.S. TREASURY  
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
RESERVED FOR FINANCIAL INSTITUTION USE

ENDORSE HERE

Monday, March 4, 2002

TO: MA  
3/4/02  
11 AM

Return To:  
USPTO  
Home  
Page  
Finance  
Home  
Page



Deposit Account Statement



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

VEN# 1396

GL# 1190

Voucher# 168386

AMOUNT \$15,591-

Deposit Account Statement

Requested Statement Month: February 2002  
Deposit Account Number: 022666  
Name: BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
Attention: ROCHELLE SILAS  
Address: 12400 WILSHIRE BLVD., NO.700  
City: LOS ANGELES  
State: CA  
Zip: 90025

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01	2	09580652	0126-P001XXX	202	\$252.00	\$40,839.25
PAT# 02/01	19	5799318	2408-P001C	581	\$40.00	\$40,799.25
PAT# 02/01	25	5799318	2408-P001C	581	\$40.00	\$40,759.25
02/01	109	10057704	42390-P0796	704 C999	-\$54.00	\$40,813.25
02/01	211	09052904	42390.P5943	142 ✓	\$1,280.00	\$39,533.25
02/01	249	09656527	004309.P001	561 ✓	\$30.00	\$39,503.25
02/04	1	09141837	42390.P6461	116 ✓ C0999	-\$400.00	\$39,903.25
02/04	2	09410447	002868.P004C	248 ✓	\$55.00	\$39,848.25
02/04	4	09183717	080398.P162	179 ✓	\$740.00	\$39,108.25
02/04	7	09574660	004341.P009	126 ✓	\$180.00	\$38,928.25
02/04	14	09895353	4609P002X	581 ✓	\$40.00	\$38,888.25
02/04	58	09275361	042390.P6345	102 ✓	\$168.00	\$38,720.25
02/04	59	09275361	042390.P6345	103 ✓	\$144.00	\$38,576.25
02/04	92	10052718	5657.P002	581 ✓	\$40.00	\$38,536.25
REG# 02/04	261	1179704	49071-T020	381	\$100.00	\$38,436.25
02/05	2	09052749	042390P4287	102 ✓	\$84.00	\$38,352.25
PAT# 02/05	17	5799318	2408-P001C	581	\$40.00	\$38,312.25
02/05	219	09875555	005641.P002X	102 ✓	\$24.00	\$38,288.25
02/05	241	09676886	015685.P033	122 ✓	\$130.00	\$38,158.25
02/06	3	09574683	004148.P003	116 ✓	\$400.00	\$37,758.25
02/06	14	09226804	42390-P11327	581	\$40.00	\$37,718.25
REG# 02/06	14	1179890	98315-T030	381	\$100.00	\$37,618.25
02/07	1	09201672	02344.P034X	103 ✓	\$18.00	\$37,600.25
02/07	52	10061907	42390-P14128	704 C0999	-\$168.00	\$37,768.25
02/07	131	10061557	004524.P071	103 ✓	\$18.00	\$37,750.25
02/08	2	09373080	42390-P11133	102	\$168.00	\$37,582.25
? 02/08	7	P105389		122	\$130.00	\$37,452.25